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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/886,160	06/21/2001	John Otto Piepenbrink	END920010038US1	5994
23550	7590	01/03/2005	EXAMINER	
HOFFMAN WARNICK & D'ALESSANDRO, LLC			THAI, CANG G	
3 E-COMM SQUARE			ART UNIT	PAPER NUMBER
ALBANY, NY 12207			3629	

DATE MAILED: 01/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/886,160	PIEPENBRINK ET AL.	
	Examiner	Art Unit	
	Cang G. Thai	3629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on June 21, 2001.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-35 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>June 21, 2001</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on June 21, 2001. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the examiner is considering the information disclosure statement.

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-14 are rejected under 35 U.S.C. 101 because the claim of invention is directed to non-statutory subject matter.

The method product for "managing a relationship with a venture company, comprising the steps of:

- a) providing venture information pertaining to the venture company;
- b) entering the venture information into a database having a column-row matrix of records, wherein the venture information is entered on a current date; and
- c) querying a row of the database to provide a single record of relationship information pertaining to the venture company."

In the above claim, it is merely an abstract idea and does not produce a useful, tangible, concrete results-which has practical application in the technological arts.

The method product for "managing a relationship with a venture company" including the steps of (a)-(c) as shown are merely an abstract idea and does not reduce to a practical application in the technological arts (i.e. interaction in the steps with the

computer/computer network or other equivalent means) and are therefore found to be non-statutory.

The method products for Claims 1-14 are merely abstract ideas and do not reduce to a practical application in the technological arts (i.e. interaction in the steps with the computer/computer network or other equivalent means) and are therefore found to be non-statutory. See *In re Alappat*, 33 F.3d at 1544, 31 USPQ2d at 1557, or *In re Waldbaum*, 173 USPQ 430 (CCPA 1972) or *In re Musgrave*, 167 USPQ (CCPA 1970) and *In re Johnston*, 183 USPQ 172.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

4. Claims 1-35 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Term "relationship" is not clear for intended use. Are terms "relationship", "a relationship", "the relationship" and "business relationship" one in the same?

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-35 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,523,942 (TYLER ET AL.).

As for Claim 1, TYLER discloses the method for managing, comprising the steps of:

- a) providing information {Column 5, Lines 34-35, wherein this reads over "collecting information required to design an insurance product for a customer". It appears that the teaching of step (a) must carry out before entering the information.}
- b) entering the information into a database {Column 5, Lines 63-65, wherein this reads over "entering the information on the design grid is usually an insurance company or an administrative support person"}; and
- c) querying a row of the database to provide a single record of relationship information pertaining to the company {Column 6, Lines 11-13, wherein this reads over "the design grid can be a matrix of rows and columns that conditionally appear based on the type of product and component data entered"}.

As for Claim 2, TYLER discloses further comprising the steps of:

- d) providing scoring data based on the information {Column 5, Lines 37-39, wherein this reads over "accessing stored information, such as rates, performing the necessary calculations based on the request and returning the requested information to the user"}; and
- e) entering the scoring data in the database on the current rate {Column 5, Lines 40-41, wherein this reads over "displaying policy level and component level information at both a "point in time" and over one or more time intervals"}.

As for Claim 3, TYLER discloses wherein the information comprises a business plan {Column 5, Lines 46-50, wherein this reads over "the design grid identifies the information needed to design a policy for the user, presents choices for the user to select while the user is designing the policy, and enables the display of information related to the policy"}.

As for Claim 4, TYLER discloses wherein:

- f) the each row of the matrix corresponds to a separate company {See Fig. 5, Element 204}, and
- g) each column of the matrix corresponds to a separate time interval {See Fig. 5, Element 205}.

As for Claim 5, TYLER discloses further comprising the steps of:

- h) duplicating the single record from a first column of the queried row to a second column of the queried row {See Fig. 5, Element 202}; and
- i) assigning an updated current date to the duplicated record {See Fig. 5, Element 205}.

As for Claim 6, TYLER discloses further comprising the step of generating reports pertaining to the company {See Fig. 2}. It appears that the report is referring to a proposal or information pertaining to the company.

As for Claim 7, TYLER discloses further comprising the step of analyzing a relationship opportunity with the company with the following steps:

- j) identifying the relationship opportunity {Column 5, Lines 63-64, wherein this reads over "entering the information on the design grid"}. It appears that this step is referring to establishing an identity.
- k) screening the identified opportunity {Column 6, Lines 1-2, wherein this reads over "include the name, gender, age, predominate risk factors and state of residence"};
- l) evaluating the screened opportunity to determine whether to enter into a business relationship with the company {Column 6, Line 5, wherein this reads over "required to generate a proposal"}; and
- m) deploying the business relationship if the opportunity was positively evaluated {Column 6, Lines 18-19, wherein this reads over "selections about a policy are made, different choices that result from these selections can be displayed"}.

As for Claim 8, TYLER discloses wherein the screening step comprises the step of:

- n) determining scoring data based on the information and wherein the evaluating step comprises the step of determining whether to enter into the business relationship based on the scoring data {Column 5, Lines 37-41, wherein this reads over "accessing stored information, such as rates, performing the necessary calculations based on the request and returning the requested information to the user, and displaying the policy level and component level information at both the "point in time" and over one or more time intervals"}.

As for Claim 9, TYLER discloses the method for managing a relationship with a company, comprising the steps of:

- o) providing information pertaining to the company, and providing scoring database on the information {Column 5, Lines 37-39, wherein this reads over "accessing stored information, such as rates, performing the necessary calculations based on the request and returning the requested information to the user"};
- p) entering the information and scoring data into a database having a column-row matrix of records, wherein the information and scoring data are entered on a current date {Column 5, Lines 63-65, wherein this reads over "entering the information on the design grid is usually an insurance company or an administrative support person"};
- q) querying a row of the database to provide a single record of relationship information pertaining to the company {Column 6, Lines 11-13, wherein this reads over "the design grid can be a matrix of rows and columns that conditionally appear based on the type of product and component data entered"};
- r) duplicating a single record from a first column of the queried row to a second column of the queried row {See Fig. 5, Element 202}; and
- s) assigning an updated current date to the duplicated record {See Fig. 5, Element 205}.

As for Claim 10, TYLER discloses wherein the information comprises a business plan {Column 5, Lines 46-50, wherein this reads over "the design grid identifies the information needed to design a policy for the user, presents choices for the user to

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select while the user is designing the policy, and enables the display of information related to the policy"}.

As for Claim 11, TYLER discloses wherein the each row of the matrix corresponding to a separate company and wherein each column of the matrix corresponding to a separate time interval {Column 6, Lines 11-13, wherein this reads over "the design grid can be a matrix of rows and columns that conditionally appear based on the type of product and component data entered"}.

As for Claim 12, which has the same limitations as in Claim 7, therefore, it is rejected for the similar set forth in Claim 7.

As for Claim 13, which has the same limitations as in Claim 8, therefore, it is rejected for the similar set forth in Claim 8.

- As for Claim 14, TYLER discloses the method for analyzing a relationship opportunity with a venture company, comprising the steps of:
- t) identifying a relationship opportunity with a company and obtaining information about the company {Column 5, Lines 63-64, wherein this reads over "entering the information on the design grid"}. It appears that this step is referring to establishing an identity.
 - u) logging an identification status in a database {Column 5, Lines 63-65, wherein this reads over "entering the information on the design grid is usually an insurance company or an administrative support person"};
 - v) calculating scoring data based on the information {Column 5, Lines 37-39, wherein this reads over "accessing stored information, such as rates, performing

the necessary calculations based on the request and returning the requested information to the user"};

- w) logging a screening status in the database {Column 6, Lines 1-2, wherein this reads over "include the name, gender, age, predominate risk factors and state of residence"};
- x) evaluating the scoring data to determine whether to form a business relationship with the company {Column 6, Line 5, wherein this reads over "required to generate a proposal"};
- y) logging an evaluation status in the database {Column 6, Lines 1-2, wherein this reads over "include the name, gender, age, predominate risk factors and state of residence"}; and
- z) deploying the business relationship if the scoring data was positively evaluated {Column 6, Lines 18-19, wherein this reads over "selections about a policy are made, different choices that result from these selections can be displayed"}.

As for Claim 15, TYLER discloses a system for managing a relationship with a company, comprising:

- aa) a process system for analyzing a relationship opportunity with a company {Column 2, Lines 34-35, wherein this reads over "the process that performs the information quote must access required rates"};
- ab) a library system for providing library elements {See Fig. 10, Element 651}; and
- ac) a view system for providing a plurality of views of the process, and the elements {See Fig. 10, Element 657}.

As for Claim 16, which has the same limitations as in Claim 12, therefore, it is rejected for the similar set forth in Claim 12.

As for Claim 17, TYLER discloses wherein the library system comprises:

- ad) a reference system for providing reference documentation {See Fig. 10, Element 651};
- ae) a template system for providing templates {See Fig. 10, Element 657}; and
- af) a screening tool system for providing information about the company {Column 6, Lines 42-46, wherein this reads over "the agent can use the design grid to experiment in creating proposals best suited for a client, and can easily jump between product types without having to reenter information"}.

As for Claim 18, TYLER discloses further comprising a database system for managing relationship information corresponding to the process, wherein the database system comprises:

- ag) a database comprising a column-row matrix of records, wherein each row correspond to a separate company and each column corresponds to a separate time interval {Column 6, Lines 18-19, wherein this reads over "selections about a policy are made, different choices that result from these selections can be displayed"}. It appears that a policy would also be referring to a single company.
- ah) a row query system for querying a row of the matrix to provide a single record of relationship information corresponding to a particular venture company at a predetermined time interval {Column 6, Lines 22-24, wherein this reads over "choices available for selection reflect the structure of the insurance products that

are "sold" by the insurance company"}}. It appears that each choice can be referring to each company.

- ai) a duplication system for duplicating a provided single record from a first column of a queried row to a second column of the queried row {See Fig. 5, Element 202}; and
- aj) a dating system for assigning an updated current date to a duplicated record {See Fig. 5, Element 205}.

As for Claim 19, TYLER discloses wherein the view system further provides a plurality of views of the relationship information {Column 5, Lines 46-50, wherein this reads over "the design grid identifies the information needed to design a policy for the user, presents choices for the user to select while the user is designing the policy and enables the display of information related to the policy"}.

As for Claim 20, TYLER discloses wherein the relationship information comprises status information {Column 6, Lines 43-46, wherein this reads over "the design grid to experiment in creating proposals best suited for the client, and can easily jump between product types without having to reenter information"}.

As for Claim 21, which has the same limitations as in Claim 15, therefore, it is rejected for the similar set forth in Claim 15.

As for Claim 22, which has the same limitations as in Claim 16, therefore, it is rejected for the similar set forth in Claim 16.

As for Claim 23, which has the same limitations as in Claim 17, therefore, it is rejected for the similar set forth in Claim 17.

As for Claim 24, which has the same limitations as in Claim 18, therefore, it is rejected for the similar set forth in Claim 18.

As for Claim 25, which has the same limitations as in Claim 19, therefore, it is rejected for the similar set forth in Claim 19.

As for Claim 26, which has the same limitations as in Claims 21 and 24, respectively, therefore, it is rejected for the similar set forth in Claims 21 and 24, respectively.

As for Claims 27 and 28, which have the same limitations as in Claim 18, therefore, it is rejected for the similar set forth in Claim 18.

As for Claim 29, which has the same limitations as in Claims 19 and 20, respectively, therefore, it is rejected for the similar set forth in Claims 19 and 20, respectively.

As for Claim 30, which has the same limitations as in Claim 24, therefore, it is rejected for the similar set forth in Claim 24.

As for Claim 31, which has the same limitations as in Claims 19 and 20, respectively, therefore, it is rejected for the similar set forth in Claim 19 and 20, respectively.

As for Claim 32, which has the same limitations as in Claim 21, therefore, it is rejected for the similar set forth in Claim 21.

As for Claim 33, which has the same limitations as in Claim 22, therefore, it is rejected for the similar set forth in Claim 22.

As for Claim 34, which has the same limitations as in Claim 23, therefore, it is rejected for the similar set forth in Claim 23.

As for Claim 35, which has the same limitations as in Claim 24, therefore, it is rejected for the similar set forth in Claim 24.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

I. U.S. Patent:

- 1) U.S. Patent No. 5,446,890 (RENSLO ET AL.) is cited to teach database stores information related to the volume of orders for a plurality of products,
- 2) U.S. Patent No. 6,175,824 (BREITZMAN ET AL.) is cited to teach ways of selecting publicly traded companies to include in a stock market portfolio,
- 3) U.S. Patent No. 5,560,007 (THAI) is cited to teach B-Tree key range bit map index optimization of database queries, and
- 4) U.S. Patent No. 6,098,047 (OKU ET AL.) is cited to teach information written in a specific descriptive system.

II. Foreign Patent:

- 1) JP2002342560A (HOSAKA ET AL.) is cited to teach fund raising support and management system which secure the profits of both a venture enterprise planning to raise funds,

- 2) JP2002044999A (ITO, TOMOAKI) is cited to teach fund raising by a venture company, and
- 3) JP2001357200A (MURAYAMA, MASANORI) is cited to teach venture company investment promotion system using financing with loyalty payment condition.

III. Non-Patent Literature:

- 1) Darran Gardner, "High-tech hitch interceptor", [1 Edition], December 12, 1999, Sunday Herald, Glasgow (UK), Page 20,
- 2) George Foster & S. Mark Young, "Frontiers of Management Accounting Research", 1997, Journal of Management Accounting Research, JMAR Volume 9 1997, Page 63,
- 3) VentureOne, "VentureOne Adds In-Depth Profiles of VC Firms to Database", March 23, 1998, PR Newswire, New York, Page 1, and
- 4) Business Editors, "Norwest Venture Partners Invests Additional \$8.6 Million in Annuncio Software", August 15, 2000, Business Wire, New York, Page 1.

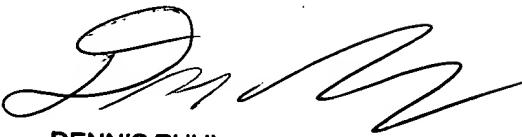
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cang G. Thai whose telephone number is (703) 305-0553. The examiner can normally be reached on 6:30 AM - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (703) 308-2702. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CGT 12-03-2004



DENNIS RUHL
PRIMARY EXAMINER